

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BETTY LOU DOSSETT,)	7:01CV565
)	
Plaintiff,)	
vs.)	MEMORANDUM
)	AND ORDER
FIRST STATE BANK,)	
LOOMIS, NEBRASKA,)	
)	
Defendant.)	

Plaintiff has moved for reconsideration of the court’s memorandum and order dated June 7, 2005, denying Plaintiff’s motion for leave to amend her witness list. Plaintiff contends that the court inaccurately stated in such memorandum and order that “each of the proposed witnesses is associated with a health care provider that was owed money for services rendered to Plaintiff or her husband in the year 2000.”¹

The court’s statement was based primarily upon Plaintiff’s own declaration in the motion to amend her witness list that “[t]hese witnesses would testify as to the accommodations made by their offices to allow Plaintiff to make payments on medical bills over time, with those payments continuing to this date for services that were rendered in 2000.” (Filing 158, ¶ 3) (emphasis supplied). Although Plaintiff states in her motion for reconsideration that “2 of the witnesses (Dr. R. D. Scott and Lisa Anderson) will testify regarding medical services rendered to Plaintiff in 2003 and arrangements and accommodations made for the Dossett family’s financial situation in 2003,” (filing 163, ¶ 2), the previously submitted affidavit of Plaintiff’s counsel plainly states that Dr. R. D. Scott and Lisa Anderson are associated with the

¹ The court continued by stating: “While Plaintiff argues that she should be able to supplement her evidence regarding damages, she has failed to explain why these four proposed witnesses were not listed previously.” (Filing 162, p. 1.)

Kearney Clinic, and that Ms. Anderson, the patient accounts representative, “would testify that the Dossett family had incurred a considerable bill for medical services in 2000 when Ted Dossett underwent surgery to repair a hernia . . .” (filing 161, ¶ 5) (emphasis supplied). In short, the court finds no misstatement of fact in its previous memorandum and order.

IT IS ORDERED that Plaintiff’s motion for reconsideration (filing 163) is denied.

June 28, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge